

106TH CONGRESS
1ST SESSION

H. R. 517

To amend title 31, United States Code, to require the Financial Crimes Enforcement Network established by the Secretary of the Treasury to allow an individual to obtain a copy of any record maintained by the Network pertaining to such person and to have corrections made to such records, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 3, 1999

Mr. PAUL introduced the following bill; which was referred to the Committee on Banking and Financial Services, and in addition to the Committee on Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend title 31, United States Code, to require the Financial Crimes Enforcement Network established by the Secretary of the Treasury to allow an individual to obtain a copy of any record maintained by the Network pertaining to such person and to have corrections made to such records, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “FinCen Public Ac-
3 countability Act”.

4 **SEC. 2. PUBLIC ACCOUNTABILITY OF THE FINANCIAL**
5 **CRIMES ENFORCEMENT NETWORK.**

6 (a) IN GENERAL.—Subchapter II of chapter 53 of
7 title 31, United States Code, is amended by adding at the
8 end the following new section:

9 **“§ 5331. Public accountability for collected informa-**
10 **tion**

11 “(a) IN GENERAL.—Notwithstanding subsections (j)
12 and (k) of section 552a of title 5, the Financial Crimes
13 Enforcement Network shall be subject to such section
14 552a with regard to all records maintained by such entity,
15 other than information described in subparagraph (A),
16 (B), or (C) of subsection (j)(2) of such section.

17 “(b) DEFINITIONS.—

18 “(1) FINANCIAL CRIMES ENFORCEMENT NET-
19 WORK.—The term ‘Financial Crimes Enforcement
20 Network’ means the entity established by the Sec-
21 retary of the Treasury within the Department of the
22 Treasury which (as of the date of the enactment of
23 the FinCen Public Accountability Act) is known as
24 the Financial Crimes Enforcement Network.

1 “(2) RECORD.—The term ‘record’ has the
2 meaning given to such term in section 552a(a)(4) of
3 title 5.

4 “(c) LIMITATION ON AUTHORITY OF SECRETARY.—
5 The Secretary of the Treasury shall have no authority
6 under this title, title 5, or any other provision of law to
7 exempt the entity.

8 “(d) AUTHORITY TO IMPOSE USER FEES.—The Sec-
9 retary of the Treasury may impose such fees on any Fed-
10 eral agency or department, or any agency or department
11 of any State or unit of general local government, which
12 accesses information from the Financial Crimes Enforce-
13 ment Network as the Secretary determines to be appro-
14 priate to recover any cost incurred pursuant to subsection
15 (a).”.

16 (b) CLERICAL AMENDMENT.—The table of sections
17 for subchapter II of chapter 53 of title 31, United States
18 Code, is amended by inserting after the item relating to
19 section 5330 the following new item:

 “5331. Public accountability for collected information.”.

20 (c) EFFECTIVE DATE.—The amendment made by
21 this section shall apply after the end of the 90-day period
22 beginning on the date of the enactment of this Act.

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